

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PHYTO TECH CORP. D/B/A BLUE
CALIFORNIA,

Plaintiff,

v.

GIVAUDAN, SA,

Defendant.

Case No. 1:19-cv-09033-JGK

**[PROPOSED] ORDER GRANTING LIQUIDATING TRUSTEE'S MOTION FOR
LIMITED STAY OF ORDER APPROVING LIQUIDATING TRUSTEE'S FINAL
REPORT AND GRANTING MOTION FOR APPROVAL OF THE TRUSTEE'S
PROPOSED WIND UP AND DISSOLUTION OF BGN TECH, LLC**

This matter coming before the Court on the *Liquidating Trustee's Motion for Limited Stay of Order Approving Liquidating Trustee's Final Report and Granting Motion for Approval of the Trustee's Proposed Wind Up and Dissolution of BGN Tech, LLC* (the "Motion");¹ and the Court having reviewed and considered the Motion; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is:

HEREBY ORDERED, ADJUDGED AND DECREED:

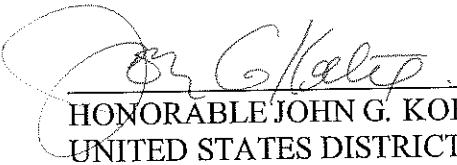
1. The Motion is GRANTED as set forth herein.
2. The application of Paragraphs 4 and 5 of the *Order Approving Liquidating Trustee's Final Report and Granting Motion for Approval of the Trustee's Proposed Wind Up and Dissolution of BGN Tech, LLC* [Docket No. 100] (the "Approval Order") is hereby stayed pending the conclusion of the Appeal of the Approval Order, which is pending in the United States Court

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Motion.

of Appeals for the Second Circuit. For the avoidance of doubt, the remainder of the Approval Order shall not be subject to the foregoing stay pending the Appeal.

3. The Trustee shall not be required to post a bond or other security in connection with the stay issued pursuant to this Order.

Dated: 1/11/23


HONORABLE JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE